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January 18, 2008

VIA FACSIMILE ONLY: 914-390-4085

The Honorable Charles L. Brieant
United States District Court
Southern District of New York
300 Quarrapos Street
White Plains, NY 10601-4150

Re: Miguel Valle v. Thomas Moran, et al.
Civil Docket No.: 7:07-cv-8214 (CLB)

Dear Judge Brieant:

Plaintiff's counsel in this case respectfully requests an enlargement of time with respect to the briefing schedule and adjournment of the court conference scheduled for February 29, 2008 for the reasons described herein.

This is a federal civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff alleges that the defendants, investigators duly appointed with police powers and acting officers of the Westchester District Attorney's Office, knowingly and recklessly caused him to be wrongfully arrested on multiple counts of environmental crime charges, reckless endangerment, and endangering the public health, safety, and environment. As a consequence, he was falsely prosecuted for nearly 10 months before all charges against him were dropped.

On November 16, 2007, the defendants filed a Motion to Dismiss raising the issue of absolute immunity and claiming that the plaintiff's State claims are barred. On November 27, 2007 counsel agreed and submitted to this Court a briefing schedule permitting plaintiff to respond to defendants Motion to Dismiss no later than January 28, 2008 and defendants reply by February 25, 2008. The undersigned has made good faith efforts to start researching the issues addressed in the Motion to Dismiss.

First, subsequent to the original enlargement of time, the undersigned was on trial the first two weeks of December and out of the office the last week of December.

MEMO

*Oral argument
scheduled for 4-4-08
at 10:00*

*So Ordered
Jan. 22, 2008*

Charles L. Brieant

USDJ

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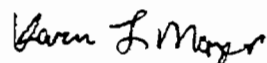
Second, the undersigned is the only civil litigator at this law firm currently facing discovery deadlines on another civil rights case in the U.S. District of Connecticut, Gary Session v. Edwin Rodriguez. That case has required counsel to appear at numerous depositions throughout December and January. Additional depositions for the *Session* case are consuming counsel's calendar for the remainder of January and most of February. Third, counsel is scheduled for trial on February 26 in the U.S. Northern District of New York for BRMS v. North American Flight Services, in addition to other court appearances for the civil litigation practice of this law firm.

Moreover, Philip Russell, the former head of this law firm entered a guilty plea on December 17, 2007 to Misprison of a Felony and was obligated to withdraw temporarily from the practice of law. As a result, this law firm has undergone administrative changes consuming a substantial amount of time.

Finally, defense counsel consents to the granting of this motion. Counsel have agreed to an extension of the briefing schedule permitting Plaintiff to respond to Defendants' Motion to Dismiss until **February 29, 2008** and Defendants' Reply by **March 28**. We respectfully request the Court to schedule the initial conference, oral arguments, and discovery accordingly.

Under these unusual circumstances, I thank Your Honor for your consideration in this matter.

Very truly yours,



Karen L. Mayer

KM/st

cc: Hillary J. Raimondi (*via facsimile only* 914-995-3132)